

VIRGINIA ROANOKE RIVER BASIN ADVISORY COMMITTEE MEETING MINUTES
June 26, 2003
Danville Science Center

Attendance: All VRRBAC members except Del. Byron, Delegate Thomas, Del. Wright, Lee Eddy, and Charles Poindexter; John Austin represented Virgil Goode; DEQ: Greg Anderson; DCR: Tim Ott; DGIF: Bud LaRoche

Call to Order:

Chairman Feild called the meeting to order.

Welcome/Recognition of Visitors:

- Todd Yeatts, City of Danville, welcomed all the members, visitors, and guests to Danville. He noted the importance of the Dan River to the community from not only an economic but also a recreational and cultural standpoint. He expressed an appreciation to the Committee for their dedication and hard work on river basin issues.
- John Primiano addressed the group regarding Todd Yeatts having just returned from a tour of duty in Iraq. Todd is a Major in the United States Marine Corps. He was thanked for his service to the country.
- Visitors and guests included Shannon Varner, Troutman and Sanders, Jerry Lovelace, Halifax County, Forrest Altman, Dan River Basin Association, Bob Lindsey, Roanoke River Basin Association, Tommy Warren, Assistant City Manager Roxboro, Lois Winstead, Mayor of Roxboro, Fred Smith, Mayor Pro Tem Yanceyville, Fred Smith, Town Manager Yanceyville, Cathy Lucas, Commissioner Caswell County, and numerous other representatives of the Roxboro, Person Co., Yanceyville, and Caswell Co. area.

May 13, 2003 meeting minutes:

A motion was made to approve the minutes as written. The motion was seconded and passed.

Tommy Warren, Roxboro, NC, Assistant City Manager and Don Garbrick, Pease and Associates; "Yanceyville, Roxboro, and Person County Water Plan".

- The Roxboro-Person Co. Water Plan was developed in 1998, with Pease and Associates as the Engineers. The resulting plan prepared the area for orderly growth, identified future needs associated with water, included a local agreement that extended the water lines to Caswell Co., and identified water sources for the future.
- The current 11MGD supply meets a 20-year projection assuming normal rainfall. It includes Lake Izaak Walton (3.2 MGD) and Lake Roxboro (7.8 MGD). Izaak Walton Lake was constructed in 1924 and expanded in 1954. Lake Roxboro was constructed in 1978.
- Met with the NCDWQ in February, 2000, which led to talks with CP&L concerning the water capacity of the Hyco and Mayo lakes owned by the company. The supply available in these reservoirs is needed for cooling capacity and a future power plant respectively. The Hyco dam was built in the 1960's and is owned by the Hyco power plant. The after-bay area is used to help cool the water to meet flow through restrictions on the Dan River. The Hyco FERC renewal is likely coming up in the near future assuming a 50 year license. He replied no when asked if there were any discussions with federal agencies over land use and water capacity of the Hyco lake. Again any use that would take water from the lake would only raise the temperature of the remaining water.

- Met again with NCDWQ in 2001 and was informed that the next source was the Dan River or Kerr Lake. Distance to Kerr is twice the distance to the Dan, thus twice the price to construct. The Dan River is closer to the existing infrastructure and has a 7Q10 flow of 275 MGD. They can not build another Lake because the best locations are already taken and NC did not expect to permit any more due to environmental concerns.
- The projected withdrawal needed for the 20 years past the projected life of their current 11-MGD supply is between 20-30 MGD. This projected supply will be shared with Yanceyville and Caswell Co. and protects against drought conditions. The Dominion Resource proposal moved up the timetable 5-10 years. Dominion was to pay for the infrastructure but now is not in the picture. \$630000 has been spent on the Environmental Assessment (EA), engineering fees and legal fees. Therefore the locality continues to pursue the permit to attempt to maximize their investment since the EA information is time sensitive. They do not want to start all over at a later date.
- The inter-local agreement with Person Co. and Yanceyville creates a Regional Water Supply System. Advantages include sharing resources between Yanceyville and Roxboro in times of need. There would be a 17-mile transmission line to the Izaak Walton reservoir and a 15-mile line to the Yanceyville supply. There would be a 0.1MGD water plant at Milton which would serve NE Caswell County and Milton.
- To address concerns of U.S. Fish and Wildlife, the withdrawal project would be set up to accommodate the fish spawn at Milton.
- For the portion of the county that is out of the Roanoke Basin where infrastructure is available the water is pumped back to the sewer system which is located in the basin. To answer accusations that water would be sold to N. Durham County it was stated there is no desire or need to send any water to the Durham area. In addition the Inter-basin Transfer permit requires a long and difficult process.
- Don Garbrick talked about the permits required for the project including reclassifying the Dan River waters for use as a water supply and for the construction activities. A 404 permit is required from the Federal government and a 401 permit from the State for the construction activities. The initial permit is for the purpose of reclassifying the Dan River. This was delayed because during the drought, resources were not available to do the monitoring required. Finally in 2002 they were able to collect samples which demonstrated the river was suitable for a water supply use. There is a dual path for the other permitting, one for the lines and the other for the intake. They are conducting an Environmental Assessment so that environmental requirements can be satisfied and to get a FONSI. Now that Dominion has pulled out there is no inter-basin transfer. However they still want to update the permit information and keep the process moving forward. The withdrawal is to be limited during the spawning season and there will also be restrictions on the intake screens. The application was resubmitted in March 2002 and will next go to the Environmental Management Committee (EMC). The DENR makes the decision as to when the EMC will review the package. If it passes the subcommittee it goes to the full body and the public arena starts. The group meets 4 times for the remainder of the year so there is ample time for public comment.
- A question was asked concerning the effects of a 30-MGD withdrawal on the Dan River. There has been a great deal of modeling conducted. The consulting firm who did the original model of the Dan River was hired to study the system again. They have concluded that even at the minimum flows during the drought there was only minimal impact on river.
- Why do you still need 30 MGD with the power plant pulling out of the deal? They are still having those discussions internally. However the 30-MGD will be done in phases and used on an as needed basis.

- They are seeking a general permit. Not sure of the name of the permit holder at this time. Dominion Resources was to have used 8 MGD. They are now looking initially to provide emergency water during drought periods.
- Richard Seekins made the comment that NCDENR requires localities to study their water supply systems when they are at about 80 % of capacity. Otherwise economic growth stops. The area was in the 78-80 % range and the Dominion project shot them up to about 112 %. In the meanwhile other development keeps them above the 80 % level. Report was to do a complete model of what infrastructure is required and to make sure it accommodates the master plan. Trying to economize what is being developed in the area.
- The line to the Izaak Walton Lake is a 36-inch line while that going to Yanceyville is a 16-inch pipe. Pipes are sized to handle the entire proposed withdrawal and the intake pumps are changed as demanded.
- If Dominion wants back in will they be accommodated? No, because that part of the plan is being withdrawn from the EA. Dominion would then be required to go through the inter-basin transfer permit process. That would not be an issue if they located in the Roanoke Basin.
- Richard Seekins commented that in actuality there was never to be any flow into the Neuse basin as that IB transfer was really an evaporative loss. There was a question as to whether that was really an inter-basin transfer of water?
- Has there ever been any consideration of other storage or expanding current storage? Flow is apparently not adequate to accommodate expansion and other areas do not have enough flow.
- What impacts occur if the flow in upstream rivers changes significantly? When the hydrology is plotted not much impact observed unless there is a very large amount of activity. The models are good at demonstrating this concept. You can stress the model and observe the related impact..
- Is there capacity in the existing lake to hold the water? Yes, the intent is to supplement the existing capacity of the lake with water from the Dan River as possible. Could the supplementation be done at high water levels in the Dan River. Generally no, because storage would have to be increased and the topography is such that you could not increase storage economically. Also the longer the water is stored the more it deteriorates in quality. Walton is about 250-300 acres and it supplies residential uses for Roxboro and the outside community at a 50/50 proportion..
- Could storage be increase in Yanceyville Lake? There are no plans to expand.
- Drought is the major concern and why we are moving forward. Did you have a crisis during the drought? It was very close to a crisis situation.
- What levels do you start supplementing? No defined plan at this point. We are only seeking the ability to get water from the Dan River.
- Will water be returned to the Dan river? Yes, everything returns to the Dan. Currently the discharge to the river is 2.5 MGD.
- Does the area send out notices of meeting concerning the withdrawal. Jerry Lovelace of Halifax Co. indicated he was notified of the first meeting but none since. He said a concern is that there appears to be no justification of the 30MGD. The current use is about 3.5 MGD and Dominion has pulled out of the deal. Also the withdrawal is taken above Halifax and put back in below, so there is a large section of river that will be short 30 MGD. They are currently looking at the impacts on the area.

- A population study was done in the area and the population was 35000 in Roxboro and Person County. There are 2883 in Yanceyville and an additional 2853 in the remainder of Caswell County. Richard Seekins estimated the growth rate for the area to be 8-10 % per decade. Another official said the rate seen in the last census was 18%.
- It was asked if Orange County, a noted high growth area was close by? Yes, and it is in the area/watershed. Although the stated initial use for the water is emergency storage, if the permitted flow is 30MGD there is nothing to prevent the water going to that locality for other purposes. That is correct but no one has a crystal ball. Again, Durham is not in the picture. That would require a difficult permit process.
- The design of the water lines is not complete but could go under or beside the bridge on Lake Hyco.
- Why is this being viewed as one project rather than two. NC promotes the use of shared entity approach or regional systems.
- The correct name of the subcommittee of the EMC is the Water Quality Committee.
- Senator Hawkins stated that the Bi-State Commission would offer further opportunity for beneficial dialogue back and forth across State lines and make a big difference in discussing the future of water in the Roanoke Basin.
- Chairman John Feild indicated that Tommy Warren and Don Garbrick had expressed a willingness to come back to other meetings to update the group or answer further question. He praised this spirit as a model of what dialogue should continue to be between interested parties in the basin.

Barry Dunkley, City of Danville Director of Water and Waste Water Treatment; Possible Impacts of the Proposed Dan River Withdrawals on the City of Danville”.

- The City has the capacity to treat 18-MGD at its water treatment plant and another 3-MGD at its industrial water treatment plant. In addition there is another 16-MGD capacity at the Dan River, Inc. plant. The combined current usage is 16.11-MGD from the 3 water plants and the City treats 13.49-MGD at the wastewater treatment plant. So 2.62-MGD (16%) are unaccounted for.
- Reports that the town of Eden does not provide a basis for their new additional 21 MGD proposed withdrawal. However, a new intake is needed because last summer the screens went dry and it cost about \$170000 to set up and pump with portable pumps. The new intake will be below the confluence of the Smith and Dan rivers and the design should be finished in 2004-05.
- Incidentally, Danville is also looking at a new intake. The existing intake is behind SchoolField dam and if there were ever a problem with the dam the City could not get water.
- Danville is concerned because recently DEQ was looking at putting N and P limits on the WWTP discharge, which is 10.4 miles above the proposed Milton withdrawal. The City proposed and DEQ accepted a study of the impacts from Danville discharge on the river. Monitoring is conducted above and below the discharge down to Milton generally, with the main interest being dissolved oxygen. Eight years of data has been collected and it demonstrates the City’s position that there is not an impact on the river. Danville is very concerned these issues will be raised again if the withdrawal is allowed. Also, it may be necessary to improve disinfection capability in order to minimize liability if the water is reclassified as a drinking water supply.
- In the case of the Roxboro/Person County/Yanceyville withdrawal, there is simply no justification for such a large increase, especially now that Dominion has decided not to build.
- Danville opposes any inter-basin transfer of water.

- There was a discussion of the withdrawal capacity of the Dan River. Models give us a good tool to understand the actual capacity of the river for withdrawal purposes. Among the users of water are Eden, Danville, Dan River Mills, S. Boston, Halifax Co., and others. Danville Water serves part of Pittsylvania and Caswell Counties. The water service population of the greater Danville area is 60000.
- At the N&S RR bridge gage the annual mean flow is 1475 MGD and the lowest daily mean flow is 71 MGD. This gage was moved in 1995 to better serve the goals of the river study. The new gage is at the Manway Bridge. Now those figures are 1350 MGD and 148 respectively. In 2002 the lowest daily mean flow was 67 MGD.
- Virginia until recently was considered to be a water rich state. Conservation is a topic that needs to be explored and addressed. It is possible to find additional capacity without building anything. Loss in municipal systems can range from 16-25 %. Danville and other municipalities are currently not doing much with the topic and likely need to do more.
- Assuming Roxboro is granted the permit for 30 MGD, what economic impact including development opportunities will the City bear? Barry Dunkley reiterated the concerns documented above about wastewater treatment impacts and the lack of a documented need by the NC area. They too would be required to go through the permit process to obtain further capacity if it exceeded the current excess capacity.
- Do any municipalities supplement their supply with groundwater? The answer is yes but in the Danville area the yield is low and it is not economical to do so.

Sub-committee Reports:

Prior to asking for the subcommittee reports the Chairman, John Feild stated that he wanted to see the subcommittees initiate work on position papers. He would like this to be a deliberative process and believes that adjunct members will provide major inputs to the VRRBAC stances.

- Agricultural and Forest Committee: Heywood Hamlet has been working to get the committee established. Evelyn Janney reported that she had asked several farm bureau members to participate. John Feild indicated that the committee would probably endorse the use of Best Management Practices (BMP's). Tim Ott mentioned that there were some actions ongoing with TMDL's in the basin notably the Blackwater River, Tinker Creek, and Glade Creek watersheds. Section 319 monies are available for implementing BMP's.
- River Interests: Watt Foster is working to get the committee established. The committee now includes adjunct members P.K. Pettus, Maureen Castern, J. T. Davis, and Tom Stutt. Bud LaRoche, VDGIF, and Jerry Lovelace agreed to help with this committee. Watt also reported the committee is trying to learn more about the rivers in the Commonwealth. Read Charlton, Vice-chair suggested that the committee address water quality considerations, such as temperature, in their group. The large stretch of the Dan River between Milton and the confluence of the Hyco, was mentioned as an area that could be effected by poor water quality if the withdrawal was permitted. Jerry Lovelace indicated that Halifax County would not object to the withdrawal if a wastewater line was put beside the raw water line to return at same point. Bud LaRoche said that many were asking VDGIF as a result of all the "water wars" how much water was needed to protect the fish. VDGIF does not know that answer. It is different for various species and when known compromise may have to be known. He indicated that he knew the flow on the Staunton river that was required for transporting the striper eggs but not on the Dan. The drought flows as well as recent high flows can have an impact on the various species activities.
- Permit Holders: John Priamiano pointed out the water quality data of the Dan River presented by Barry Dunkley. Greg Anderson explained how the water quality data is used to set permit limits. The limits

are set so that water quality criteria are not violated at 7Q10 flow levels thus protecting beneficial uses of the streams. Also informed the group that generally each discharger provided test results to DEQ which were reviewed for permit violations. Violations were addressed by the enforcement division, which may require additional treatment capability. DEQ supplied a large list of permit holders for use by the committee. The contacts would be made aware of the subcommittee. John indicated he needed a list of water intakes and available information for City, County, and Town contacts. Greg Anderson was to find what information DEQ had on these entities.

- Water Committee: Mike McEvoy, the new Chairman, asked for direction for the efforts of this committee. He was informed that the committee should focus on water quality and quantity issues. Mike reported that the State Water Supply Planning Technical Advisory Committee had been split into 3 sub groups. A draft plan would be to the Governor by December. One of the subgroups is looking at riparian law. He passed out a copy of a paper regarding concepts dealing with Virginia Common Water Law Principles. John indicated that this group should establish a position on the topic. Mike also reported that the Roanoke Valley Alleghany Regional PDC was doing a long range water supply planning effort looking out to year 2050. It was considering SML as a possible source. He said that the Upper Roanoke River Roundtable and RRBA was holding a Watershed Conference July 25-26 at Explore Park.
- Lakes Interest Committee: Robert Conner reported that he was planning 3 meetings of this committee. There are two scheduled currently at Lake Gaston, July 23rd, and Clarksville, Kerr Reservoir, on August 13th. The Lake Gaston meeting will be held at the Ebony Firehouse. John Feild was to check on a location for the Clarksville meeting. Another meeting is planned but a date has not been set at Smith Mt. Lake. The importance of the economic impact of these lakes on the local economy would be a point of focus for the committee. Hydrilla was another topic of importance and it is believed that the lakes need to work together on this issue so that a unified and effective voice could be heard in Richmond. Richard Seekins said that Va. Tech had done a study of the economic impact of the lakes as a prelude to addressing the hydrilla problem. John Feild suggested that Dianne Edwards, USACE, be invited to participate in talks concerning Hydrilla.

Other Business:

- Richard Seekins reported that there was a formal celebration today of the Lake Gaskins agreement. Said that Smith Mountain Lake would be the next focus from a FERC licensing standpoint. Richard also indicated that all but one of the Councils of Governments have submitted the designees for the NCRRBAC. At this time appointments by the State Senate and confirmation by the State House have not occurred. The budget is the problem and focus of NC State government currently so this may be delayed further. One difference in the NC advisory committee is that it will be co-chaired by Senate and House members.
- Senator Ruff reported that when the legislation concerning the VRRBAC was reworded last year to make such groups more uniform., the law was changed to give the Speaker the power to appoint members of the PDC's to the committee. This was not the intent of the change. In order to not disrupt the functioning of the current committee, the Speaker has agreed to not appoint anyone this year. The wording will be changed next year.
- The Chairman asked that Greg Anderson copy Bob Lindsey, RRBA, on the draft minute so members of that group could follow the activities of VRRBAC. These minutes will be posted on the RRBA website.
- The Chairman asked that Greg Anderson communicate with the Secretary of Natural Resources office to find out why VRRBAC had not been invited to the last 216 meeting regarding John H. Kerr Reservoir.

- Read Charlton informed the group that the Roanoke River Basin Association (RRBA) will hold a meeting **Saturday, July 26, 2003**, at Plymouth, NC. This meeting will focus on the Outlying Landing Feild (OLF) proposal by the US Navy in Eastern North Carolina, and specifically the Washington County, NC, site. RRBA will sponsor a panel presentation covering the rationale for an OLF, the impact to wildlife and the environment, and the impact to the local economy. Local experts who have been involved in this issue for the last several years will share their information with us in a public forum. This meeting will be for RRBA board members, interested members of RRBA, other NGO groups, and interested citizens.
- Greg is to write thank you letters on behalf of the Committee to the Danville Science Center and the speakers.

Future Meetings:

- A motion was made, seconded and passed that the next meeting will be held in Ebony at the firehouse on July 23, at 1:00 p.m. A tour of the Virginia Beach pump house will be arranged. Robert Conner is making arrangements for that meeting.

Adjournment:

A motion was made, seconded and passed to adjourn the meeting.